

COFC

08|484 928

PATENT
Attorney Docket No. 101.0050-00000
Customer No. 22882



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent of:
Gary Karlin Michelson) (Serial No.: 08/484,928)
Patent No.: 6,923,810)
Issued: August 2, 2005) (Filed: June 7, 1995)
For: FRUSTO-CONICAL INTERBODY)
SPINAL FUSION IMPLANTS)

Certificate of Correction Branch
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Certificate
SEP 22 2005
of Correction

Sir:

CERTIFICATE OF MAILING VIA FIRST CLASS MAIL

Date of Deposit: September 13, 2005

I hereby certify that:

1. Request for Certificate of Correction
2. 1 sheet of Form PTO-1050 (in duplicate);
3. 2 pages of supporting documents;
4. Self-addressed return postcard receipt

are being deposited with the United States Postal Service to Addressee with sufficient postage as first class mail under 37 C.F.R. § 1.8 on the date indicated above and are addressed to:

Certificate of Correction Branch
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

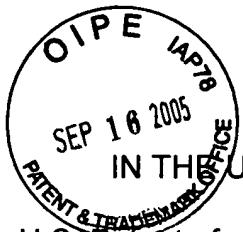
Date: September 13, 2005



Sandra L. Blackmon

1557 Lake O'Pines Street, NE
Hartville, Ohio 44632
Telephone: (330) 877-0700
Facsimile: (330) 877-2030

SEP 22 2005



PATENT
Attorney Docket No. 101.0050-00000
Customer No. 22882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent of:)
Gary Karlin Michelson) (Serial No.: 08/484,928)
Patent No.: 6,923,810)
Issued: August 2, 2005) (Filed: June 7, 1995)
For: FRUSTO-CONICAL INTERBODY)
SPINAL FUSION IMPLANTS)

Certificate of Correction Branch
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REQUEST FOR CERTIFICATE OF CORRECTION

Pursuant to 35 U.S.C. § 254 and 37 C.F.R. § 1.322, this is a request for the issuance of a Certificate of Correction in the above-identified patent. Two (2) copies of PTO Form 1050 are appended. The complete Certificate of Correction involves one (1) page.

The mistakes identified in the appended Form occurred through the fault of the Patent Office, as clearly disclosed by the records of the application which matured into this patent, and as evidenced in the attached copies of the following documents:

1. Page 6 of Amendment dated June 8, 2004, showing the proper dependency of issued claim 37 (pending claim 210); and
2. Page 16 of Amendment dated June 8, 2004, showing the proper dependency of issued claim 118 (pending claim 300).

Issuance of the Certificate of Correction containing the correction is earnestly requested.

Respectfully submitted,

MARTIN & FERRARO, LLP

Dated: 12 SEP 05

By: Thomas H. Martin

Thomas H. Martin
Registration No. 34,383

1557 Lake O'Pines Street, NE
Hartville, Ohio 44632
Telephone: (330) 877-0700
Facsimile: (330) 877-2030

SEP 22 2005

UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF CORRECTION

PATENT NO: 6,923,810
DATED: August 2, 2005
INVENTOR: Gary Karlin Michelson

It is hereby certified that an error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Column 9, line 56:
Change "claim 26" to -- claim 36 --.

Column 14, line 51:
Change "claim 110" to -- claim 117 --.

Mailing Address of Sender:
Martin & Ferraro, LLP
1557 Lake O'Pines Street, NE
Hartville, Ohio 44632

PATENT NO. 6,923,810
No. of add'l copies
@ 50¢ per page

UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF CORRECTION

PATENT NO: 6,923,810
DATED: August 2, 2005
INVENTOR: Gary Karlin Michelson

It is hereby certified that an error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Column 9, line 56:
Change "claim 26" to -- claim 36 --.

Column 14, line 51:
Change "claim 110" to -- claim 117 --.

Mailing Address of Sender:
Martin & Ferraro, LLP
1557 Lake O'Pines Street, NE
Hartville, Ohio 44632

PATENT NO. 6,923,810
No. of add'l copies
@ 50¢ per page

205. (previously presented) The spinal fusion implant of claim 198 in which said bone engaging means includes said outer surface being porous at least in part.
206. (previously presented) The spinal fusion implant of claim 198 in which said bone engaging means comprises a plurality of posts spaced apart along at least a portion of the outer surface of said body.
207. (previously presented) The spinal fusion implant of claim 206 in which said plurality of posts have a head portion and a stem portion, said head portion having a wider diameter than said stem portion.
208. (previously presented) The spinal fusion implant of claim 198 in which said bone engaging means comprises a mesh-like material having a plurality of interstices for receiving fusion promoting material.
209. (previously presented) The spinal fusion implant of claim 198 in which said bone engaging means includes a plurality of surface roughenings for engaging said adjacent vertebral bodies and for maintaining said implant in place, said surface roughenings being present on at least a portion of said outer surface of said implant.
210. (previously presented) The spinal fusion implant of ~~claim 209~~ in which said surface roughenings include a plurality of ratcheting.
211. (previously presented) The spinal fusion implant of claim 209 in which said surface roughenings include knurling.
212. (previously presented) The spinal fusion implant of claim 198 in which said body has an internal chamber and means for accessing said internal chamber.
213. (previously presented) The spinal fusion implant of claim 212 in which said internal chamber is capable of containing fusion promoting material.
214. (previously presented) The spinal fusion implant of claim 212 in which said body includes a wall surrounding said internal chamber.
215. (previously presented) The spinal fusion implant of claim 212 in which said wall has a plurality of openings passing therethrough in communication with said

297. (previously presented) The spinal fusion implant of claim 291 in which said body includes a longitudinal central axis and at least one truncated side forming a planar surface parallel to said central axis.
298. (previously presented) The spinal fusion implant of claim 291, wherein said implant is made of a material that is stronger than bone.
299. (previously presented) The spinal fusion implant of claim 291, in combination with a fusion promoting material.
300. (previously presented) The spinal fusion implant of claim 299, wherein said fusion promoting material includes at least one of bone, bone morphogenetic protein, hydroxyapatite, hydroxyapatite compounds, and osteogenic proteins.
301. (currently amended) A ~~non-threaded~~ spinal fusion implant for insertion across the surgically corrected height of a disc space between adjacent vertebral bodies of a human spine, said implant comprising a mid-longitudinal axis and a body having a distal end adapted for insertion first into the disc space, a proximal end opposite thereto, upper and lower surfaces adapted to contact the adjacent vertebral bodies adjacent that disc space, and an outer locus larger than the space between two adjacent vertebral bodies to be fused, said body and being formed of a mesh-like material other than bone capable of supporting two adjacent vertebral bodies in a spaced apart relationship to each other, said mesh-like material having a plurality of interstices adapted to receive fusion promoting material and for engaging said implant to said adjacent vertebral bodies of the spine, said interstices being along at least a portion of said outer locus of said body, and within at least a portion of an interior of said body, and along at least a portion of a proximal-most portion of said proximal end, said body being adapted to permit the growth of bone from adjacent vertebral body to adjacent vertebral body through said implant, said implant being made of a material appropriate for human implantation.

SEP 22 2005